

1104, set forth provisions relating to granting and contracting requirements for reading academies.

Section 1964, Pub. L. 93380, title VII, §724, as added Pub. L. 94194, §1(b)(1), Dec. 31, 1975, 89 Stat. 1103, set forth provisions relating to scope, authority, etc., with respect to State leadership and training activity agreements.

Section 1965, Pub. L. 93380, title VII, §725, as added and amended Pub. L. 94194, §6(a), (b)(1), Dec. 31, 1975, 89 Stat. 1104, 1105, set forth provisions relating to granting and contracting requirements for national impact reading programs.

Section 1966, Pub. L. 93380, title VII, §726, as added Pub. L. 94194, §9(a), Dec. 31, 1975, 89 Stat. 1105, set forth provisions relating to contracting requirements for an inexpensive book distribution program for reading motivation.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95561, set out as an Effective Date of 1978 Amendment note under section 1221e3 of this title.

#### SUBCHAPTER IV—GENERAL PROVISIONS

### §§1981 to 1983. Repealed. Pub. L. 95561, title XV, §1529, Nov. 1, 1978, 92 Stat. 2380

Section 1981, Pub. L. 93380, title VII, §731, Aug. 21, 1974, 88 Stat. 596; Pub. L. 94194, §7, Dec. 31, 1975, 89 Stat. 1105; S. Res. 4, Feb. 4, 1977, set forth evaluation requirements for programs.

Section 1982, Pub. L. 93380, title VII, §732, Aug. 21, 1974, 88 Stat. 596; Pub. L. 94194, §§1(c), 6(c), 9(b), Dec. 31, 1975, 89 Stat. 11041106, set forth provisions authorizing appropriations for covered programs.

Section 1983, Pub. L. 93380, title VII, §733, as added Pub. L. 94194, §8, Dec. 31, 1975, 89 Stat. 1105, set forth provisions relating to acceptance of gifts or donations by the Commissioner.

#### EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95561, set out as an Effective Date of 1978 Amendment note under section 1221e3 of this title.

### CHAPTER 42—HARRY S TRUMAN MEMORIAL SCHOLARSHIPS

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### §2001. Congressional statement of findings

The Congress finds that—

because a high regard for the public trust and a lively exercise of political talents were outstanding characteristics of the thirty-third President of the United States;

because a special interest of the man from Independence in American history and a broad knowledge and understanding of the American political and economic system gained by study and experience in county and National Government culminated in the leadership of America remembered for the quality of his character, courage, and commonsense;

because of the desirability of encouraging young people to recognize and provide service in the highest and best traditions of the American political system at all levels of government, it is especially appropriate to honor former President Harry S Truman through the creation of a perpetual education scholarship program to develop increased opportunities for young Americans to prepare and pursue careers in public service.

(Pub. L. 93642, §2, Jan. 4, 1975, 88 Stat. 2276.)

#### SHORT TITLE

Section 1 of Pub. L. 93642 provided: "That this Act [enacting this chapter] may be cited as the 'Harry S Truman Memorial Scholarship Act'."

### §2002. Definitions

As used in this chapter, the term—

(1) "Board" means the Board of Trustees of the Harry S Truman Scholarship Foundation;

(2) "Foundation" means the Harry S Truman Scholarship Foundation;

(3) "fund" means the Harry S Truman Memorial Scholarship Fund;

(4) "institution of higher education" means any such institution as defined by section 1141(a) of this title;

(5) "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and, considered as a single entity, Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands; and

(6) "Secretary" means the Secretary of the Treasury.

(Pub. L. 93642, §3, Jan. 4, 1975, 88 Stat. 2276.)

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

**§2003. Other Federal memorials prohibited**

The Harry S Truman Scholarship Program as authorized by this chapter shall be the sole Federal memorial to President Harry S Truman.

(Pub. L. 93642, §4, Jan. 4, 1975, 88 Stat. 2277.)

**§2004. Harry S Truman Scholarship Foundation****(a) Establishment**

There is established, as an independent establishment of the executive branch of the United States Government, the Harry S Truman Scholarship Foundation.

**(b) Board of Trustees; membership**

(1)<sup>1</sup> The Foundation shall be subject to the supervision and direction of a Board of Trustees. The Board shall be composed of thirteen members, as follows:

(A) two Members of the Senate, one from each political party, to be appointed by the President of the Senate;

(B) two Members of the House of Representatives, one from each political party, to be appointed by the Speaker;

(C) eight members, not more than four of whom shall be of the same political party, to be appointed by the President with the advice and consent of the Senate, of whom one shall be a chief executive officer of a State, one a chief executive officer of a city or county, one a member of a Federal court, one a member of a State court, one a person active in post-secondary education, and three representatives of the general public; and

(D) the Secretary of Education or his designate, who shall serve ex officio as a member of the Board, but shall not be eligible to serve as Chairman.

**(c) Term of office**

The term of office of each member of the Board shall be six years; except that (1) the members first taking office shall serve as designated by the President, four for terms of two years, five for terms of four years, and four for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed, and shall be appointed in the same manner as the original appointment for that vacancy was made.

**(d) Compensation**

Members of the Board shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties.

(Pub. L. 93642, §5, Jan. 4, 1975, 88 Stat. 2277; Pub. L. 9688, title III, §301(a)(1), title V, §507, Oct. 17, 1979, 93 Stat. 677, 692.)

**TRANSFER OF FUNCTIONS**

“Secretary of Education” substituted for “Commissioner of Education” in subsec. (b)(1)(D) pursuant to sections 301(a)(1) and 507 of Pub. L. 9688, which are classified to sections 3441(a)(1) and 3507 of this title and which transferred functions of Commissioner of Education to Secretary of Education.

<sup>1</sup>So in original. Subsec. (b) was enacted without a par. (2).

**§2005. Truman scholars****(a) Basis for award**

The Foundation is authorized to award scholarships to persons who demonstrate outstanding potential for and who plan to pursue a career in public service. Award recipients shall be known as Truman scholars.

**(b) Maximum period of award**

Scholarships under this chapter shall be awarded for such periods as the Foundation may prescribe but not to exceed four academic years.

**(c) Recipient's choice of institution**

A student awarded a scholarship under this chapter may attend any institution of higher education offering courses of study, training, or other educational activities designed to prepare persons for a career in public service as determined pursuant to criteria established by the Foundation.

**(d) Encouragement of recipient to pursue public service career**

Each student awarded a scholarship under this chapter must have indicated a serious intent to enter the public service upon the completion of his or her educational program. Each institution of higher education at which such a student is in attendance will make reasonable continuing efforts to encourage such a student to enter the public service upon completing his or her educational program.

(Pub. L. 93642, §6, Jan. 4, 1975, 88 Stat. 2278.)

**§2006. Selection of scholars****(a) Nationwide competition**

The Foundation is authorized, either directly or by contract, to provide for the conduct of a nationwide competition for the purpose of selecting Truman scholars.

**(b) Procedures**

The Foundation shall adopt selection procedures which shall assure that at least one Truman scholar shall be selected each year from each State in which there is at least one resident applicant who meets the minimum criteria established by the Foundation.

(Pub. L. 93642, §7, Jan. 4, 1975, 88 Stat. 2278.)

**§2007. Stipends**

Each student awarded a scholarship under this chapter shall receive a stipend which shall not exceed the cost to such student for tuition, fees, books, room and board, or \$10,000 (adjusted annually to reflect increases, if any, in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics) whichever is less for each academic year of study.

(Pub. L. 93642, §8, Jan. 4, 1975, 88 Stat. 2278; Pub. L. 99159, title V, §501, Nov. 22, 1985, 99 Stat. 904.)

**AMENDMENTS**

1985—Pub. L. 99159 increased amount from \$5,000 to \$10,000 with provision for annual adjustments.

**§2008. Scholarship conditions****(a) Satisfactory proficiency and devotion of full time to study or research; unapproved employment**

A student awarded a scholarship under the provisions of this chapter shall continue to receive the payments provided in this chapter only during such periods as the Foundation finds that he or she is maintaining satisfactory proficiency and devoting full time to study or research designed to prepare him or her for a career in public service and is not otherwise engaging in gainful employment other than employment approved by the Foundation pursuant to regulation.

**(b) Reports; certification by official of institution**

The Foundation is authorized to require reports containing such information in such form and to be filed at such times as the Foundation determines to be necessary from any student awarded a scholarship under the provisions of this chapter. Such reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, approved by the Foundation, stating that such student is making satisfactory progress in, and is devoting essentially full time to, study or research, except as otherwise provided in subsection (a) of this section.

(Pub. L. 93642, §9, Jan. 4, 1975, 88 Stat. 2278.)

**§2009. Harry S Truman Memorial Scholarship Trust Fund****(a) Establishment**

There is established in the Treasury of the United States a trust fund to be known as the Harry S Truman Memorial Scholarship Trust Fund. The fund shall consist of amounts appropriated to it by section 2013 of this title.

**(b) Investment in interest bearing obligations**

It shall be the duty of the Secretary to invest in full the amounts appropriated to the fund. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market place. The purposes for which obligations of the United States may be issued under chapter 31 of title 31, are hereby extended to authorize the issuance at par of special obligations exclusively to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both

principal and interest by the United States or original issue or at the market price, is not in the public interest.

**(c) Sale and redemption of obligations**

Any obligation acquired by the fund (except special obligations issued exclusively to the fund) may be sold by the Secretary at the market price, and such special obligations may be redeemed at par plus accrued interest.

**(d) Credit to the fund of interest and proceeds of sale or redemption**

The interest on, and the proceeds from the sale or redemption of, any obligations held in the fund shall be credited to and form a part of the fund.

(Pub. L. 93642, §10, Jan. 4, 1975, 88 Stat. 2279.)

**CODIFICATION**

In subsec. (b), “chapter 31 of title 31” substituted for “the Second Liberty Bond Act, as amended” on authority of Pub. L. 97258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

**§2010. Expenditures and audit of Trust Fund****(a) Authorization of funding**

The Secretary is authorized to pay to the Foundation from the interest and earnings of the fund such sums as the Board determines are necessary and appropriate to enable the Foundation to carry out the purposes of this chapter.

**(b) Access to books, records, etc., by General Accounting Office**

The activities of the Foundation under this chapter may be audited by the General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, and files and all other papers, things, or property belonging to or in use by the Foundation, pertaining to such activities and necessary to facilitate the audit.

(Pub. L. 93642, §11, Jan. 4, 1975, 88 Stat. 2279.)

**§2011. Executive Secretary of Foundation****(a) Appointment; functions**

There shall be an Executive Secretary of the Foundation who shall be appointed by the Board. The Executive Secretary shall be the chief executive officer of the Foundation and shall carry out the functions of the Foundation subject to the supervision and direction of the Board. The Executive Secretary shall carry out such other functions consistent with the provisions of this chapter as the Board shall delegate.

**(b) Compensation**

The Executive Secretary of the Foundation shall be compensated at the rate specified for employees placed in grade 18 of the General Schedule set forth in section 5332 of title 5.

(Pub. L. 93642, §12, Jan. 4, 1975, 88 Stat. 2280.)

**REFERENCES IN OTHER LAWS TO GS16, 17, OR 18 PAY RATES**

References in laws to the rates of pay for GS16, 17, or 18, or to maximum rates of pay under the General

Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101509, set out in a note under section 5376 of Title 5.

## §2012. Administrative provisions

### (a) Powers of Foundation

In order to carry out the provisions of this chapter, the Foundation is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this chapter, except that in no case shall employees other than the Executive Secretary be compensated at a rate to exceed the rate provided for employees in grade 15 of the General Schedule set forth in section 5332 of title 5;

(2) procure temporary and intermittent services of experts and consultants as are necessary to the extent authorized by section 3109 of title 5, but at rates not to exceed the rate specified at the time of such service for grade GS18 in section 5332 of such title;

(3) prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(4) receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(5) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5;

(6) enter into contracts, grants, or other arrangements, or modifications thereof, to carry out the provisions of this chapter, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds, and without regard to section 5 of title 41;

(7) make advances, progress, and other payments which the Board deems necessary under this chapter without regard to the provisions of section 3324(a) and (b) of title 31;

(8) rent office space in the District of Columbia; and

(9) make other necessary expenditures.

### (b) Annual report to Congress

The Foundation shall submit to the President and to the Congress an annual report of its operations under this chapter.

(Pub. L. 93642, §13, Jan. 4, 1975, 88 Stat. 2280.)

#### CODIFICATION

In subsec. (a)(7), “section 3324(a) and (b) of title 31” substituted for “section 3648 of the Revised Statutes, as amended (31 U.S.C. 529)” on authority of Pub. L. 97258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

#### REFERENCES IN OTHER LAWS TO GS16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable

under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101509, set out in a note under section 5376 of Title 5.

## §2013. Authorization of appropriations

There are authorized to be appropriated \$30,000,000 to the fund.

(Pub. L. 93642, §14, Jan. 4, 1975, 88 Stat. 2280.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2009 of this title.

## CHAPTER 43—AMERICAN FOLKLIFE PRESERVATION

Sec. 2101.	Congressional declaration of findings and purpose.
2102.	Definitions.
2103.	American Folklife Center. <ul style="list-style-type: none"> <li>(a) Establishment.</li> <li>(b) Board of Trustees; composition; regional balance.</li> <li>(c) Term of office.</li> <li>(d) Compensation of Board members; travel expenses.</li> <li>(e) Chairman; Vice Chairman; election; vacancies; quorum.</li> <li>(f) Director; Deputy Director; appointment and compensation.</li> <li>(g) Duties of Director and Deputy Director.</li> </ul>
2104.	Functions of Center. <ul style="list-style-type: none"> <li>(a) Contracts; national archive and center for American folklife; loan of items in archive; procurement, display, etc., of items in archive; miscellaneous programs.</li> <li>(b) Functions carried out through Center.</li> </ul>
2105.	Limitations on contracts. <ul style="list-style-type: none"> <li>(a) Time.</li> <li>(b) Items excluded.</li> <li>(c) Former Government employees.</li> </ul>
2106.	Administration. <ul style="list-style-type: none"> <li>(a) Regulations; receipt of money and other property; compensation of personnel; services of experts and consultants; contracts; payments.</li> <li>(b) Annual report to Congress.</li> </ul>
2107.	Authorization of appropriations; limitation on use for new positions.

## §2101. Congressional declaration of findings and purpose

(a) The Congress hereby finds and declares—

(1) that the diversity inherent in American folklife has contributed greatly to the cultural richness of the Nation and has fostered a sense of individuality and identity among the American people;

(2) that the history of the United States effectively demonstrates that building a strong nation does not require the sacrifice of cultural differences;

(3) that American folklife has a fundamental influence on the desires, beliefs, values, and character of the American people;

(4) that it is appropriate and necessary for the Federal Government to support research and scholarship in American folklife in order to contribute to an understanding of the complex problems of the basic desires, beliefs, and values of the American people in both rural and urban areas;